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6 Attorneys for Plaintiffs Disney  
Enterprises, Inc., DC Comics,  
7 and Sanrio, Inc.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE)

10 Disney Enterprises, Inc., DC Comics and  
11 Sanrio, Inc.,

12 Plaintiffs,

13 v.

14 Vuong Tran a/k/a Vuong Nguyen a/k/a Ricky  
Tran a/k/a Ricky Vuong, an individual and d/b/a )  
15 www.norcaljumper.com; Joey Nguyen a/k/a )  
Dung Nguyen a/k/a Duong Nguyen and Does 1 – )  
16 10, inclusive, )

17 Defendants. )  
18

Case No.: CV12-05030 SC

**REQUEST TO REOPEN CASE AND TO  
REASSIGN TO ACTIVE U.S. DISTRICT  
COURT DISTRICT JUDGE**

19 PLAINTIFFS Disney Enterprises, Inc., DC Comics and Sanrio, Inc. (collectively  
20 “Plaintiffs”), by and through its counsel of record, J. Andrew Coombs, of J. Andrew Coombs, A  
21 P.C., hereby requests as follows:

22 WHEREAS on or about January 7, 2013, the Court issued an order staying this case  
23 pursuant to a bankruptcy petition filed by Defendant Vuong Tran a/k/a Vuong Nguyen a/k/a Ricky  
24 Tran a/k/a Ricky Vuong, an individual and d/b/a www.norcaljumper.com (“Tran”). A true and  
25 correct copy of the order is attached hereto as Exhibit A;

26 WHEREAS Plaintiffs were made aware of several other bankruptcy petitions filed by Tran  
27 between September 2012 and through May 2014, all of which were later dismissed, most for  
28 failure to file information, as referenced in the attached Exhibit B;

1 WHEREAS Plaintiffs, in an abundance of caution, delayed a request to reopen the  
2 underlying civil action in part to ensure Tran had not refiled any additional bankruptcy petitions;

3 WHEREAS on or about March 31, 2015, the most recent bankruptcy petition filed by Tran  
4 was dismissed by the U.S. Bankruptcy Court, Northern District of California. A true and correct  
5 copy of the dismissal order is attached hereto as Exhibit C;

6 WHEREAS the civil action against Tran should be allowed to proceed;

7 WHEREAS upon reopening of this case, the Plaintiffs should be granted an additional sixty  
8 (60) days within which to effect service on Tran;

9 WHEREAS on or about May 1, 2013, a default judgment was entered against Defendant  
10 entered Joey Nguyen a/k/a Dung Nguyen a/k/a Duong Nguyen (see Docket #27). A true and  
11 correct copy of the default judgment is attached hereto as Exhibit D;

12 WHEREAS since the Court's order staying this case, issued on or about January 7, 2013,  
13 U.S. Senior District Judge, the Honorable Samuel Conti has retired; and

14 WHEREAS Plaintiffs respectfully request reassignment of this matter to an active U.S.  
15 District Judge;

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1 NOW, THEREFORE, Plaintiffs request that this case be moved to the Court's active  
2 caseload and be granted sixty (60) days from the date of reopening to effect service on Tran, and  
3 that an active U.S. District Judge be assigned to this matter.  
4

5 Dated: November 17, 2015

J. Andrew Coombs, A Professional Corp.

6 By: /s/ J. Andrew Coombs

7 J. Andrew Coombs

8 Annie S. Wang

9 Attorneys for Plaintiffs Disney Enterprises, Inc., DC  
Comics and Sanrio, Inc.

10  
11 **[PROPOSED] ORDER**

12 PURSUANT TO REQUEST, IT IS SO ORDERED.

13 DATED: \_\_\_\_\_, 2015

14  
15 \_\_\_\_\_  
16 UNITED STATES DISTRICT JUDGE  
General Duty

**EXHIBIT "A"**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DISNEY ENTERPRISES, INC., DC	)	Case No. 12-0530 SC
COMICS, and SANRIO, INC.,	)	
	)	ORDER STAYING CASE PURSUANT
Plaintiffs,	)	TO FILING OF BANKRUPTCY
	)	<u>PETITION</u>
v.	)	
	)	
VUONG TRAN; JOEY NGUYEN, and DOES	)	
1 through 10, inclusive,	)	
	)	
Defendants.	)	
	)	

On January 2, 2012, Defendants in the above-captioned matter notified the Court that Defendant Vuong Tran ("Tran") had filed a Chapter 13 bankruptcy petition in the United States Bankruptcy Court for the Northern District of California. ECF No. 13. Defendants' action against Tran is therefore automatically stayed.

IT IS SO ORDERED.

Dated: January 7, 2013

  
UNITED STATES DISTRICT JUDGE

**EXHIBIT "B"**



**Bankruptcy Party Search**  
Tue Nov 17 16:00:33 2015  
5 records found

**User:** acoombs01  
**Client:** Tran / NorCalJump  
**Search:** Bankruptcy Party Search Name Tran, Vuong Ngoc California Page: 1

<u>Party Name</u> ▼	<u>Court</u>	<u>Case</u>	<u>Ch</u>	<u>Date Filed</u>	<u>Date Closed</u>	<u>Disposition</u>
1 Tran, Vuong Ngoc (db)	canbke	<a href="#">5:12-bk-58412</a>	13	11/24/2012	06/20/2014	Dismissed for Failure to File Information 04/11/2014
2 Tran, Vuong Ngoc (db)	canbke	<a href="#">5:12-bk-56846</a>	13	09/19/2012	10/26/2012	Dismissed for Failure to File Information 10/04/2012
3 Tran, Vuong Ngoc (db)	canbke	<a href="#">5:12-bk-57618</a>	13	10/22/2012	11/27/2012	Dismissed for Failure to File Information 11/06/2012
4 Tran, Vuong Ngoc (db)	canbke	<a href="#">5:14-bk-51959</a>	13	05/01/2014	10/16/2015	Dismissed for Other Reason 03/31/2015
5 Tran, Vuong Ngoc (db)	canbke	<a href="#">5:12-bk-54867</a>	13	06/28/2012	08/30/2012	Dismissed for Other Reason 07/13/2012

# **EXHIBIT “C”**





DEVIN DERHAM-BURK #104353  
CHAPTER 13 STANDING TRUSTEE  
Devin L. Pace #256514  
Nanette Dumas #148261  
Jane Z. Bohrer #243692  
P O BOX 50013  
SAN JOSE, CA 95150-0013

Telephone: (408) 354-4413  
Facsimile: (408) 354-5513

The following constitutes  
the order of the court. Signed March 31, 2015

*Stephen L. Johnson*

Stephen L. Johnson  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In Re:

VUONG NGOC TRAN

Debtor

Chapter 13

Case No. 14-51959 SLJ

**ORDER OF DISMISSAL  
PRIOR TO CONFIRMATION**

DEVIN DERHAM-BURK, Chapter 13 Standing Trustee, filed a Motion to Dismiss [Docket #40] along with a Notice and Opportunity for Hearing [Docket #41] on February 26, 2015 which was properly served on all interested parties. No opposition or request for hearing has been filed with respect to the Motion to Dismiss, and the Trustee has requested relief by default. The Court having considered all pleadings and evidence before it, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT the case is dismissed without prejudice. After payment of allowed adequate protection payments, administrative costs or fees, the Chapter 13 Standing Trustee shall return to the debtor any remaining balance of funds on hand.

/

EXHIBIT C PAGE 6

1 Notwithstanding the dismissal of the case, the Chapter 13 Standing Trustee shall remit to the Clerk  
2 of the Court funds from any previously disbursed checks that remain uncashed. The Chapter 13  
3 Standing Trustee shall submit at a later date her Trustee's Final Report for approval by the Court.

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5 Notice of the dismissal shall be served upon all parties by the Clerk of the Court.

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7 \* \* \* END OF ORDER \* \* \*

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26 EXHIBIT C PAGE 7

**COURT SERVICE LIST**

Case Name: VUONG NGOC TRAN

Case No.: 14-51959 SLJ

Registered ECF Participants will receive an electronically mailed copy of the foregoing document.

Non-registered parties, and/or those not represented by a registered ECF participant:

NONE

**UNITED STATES BANKRUPTCY COURT  
Northern District of California**

In Re: Vuong Ngoc Tran  
Debtor(s)

Case No.: 14-51959 SLJ 13  
Chapter: 13

**NOTICE OF DISMISSAL OF CASE**

**Notice is given** that an order was filed on 3/31/15 dismissing the above-captioned case.

Dated: 3/31/15

For the Court:

Edward J. Emmons  
Clerk of Court  
United States Bankruptcy Court

Doc # 47

## Notice Recipients

District/Off: 0971-5

User: krose

Date Created: 3/31/2015

Case: 14-51959

Form ID: DOC

Total: 20

### Recipients of Notice of Electronic Filing:

ust	Office of the U.S. Trustee / SJ	USTPRegion17.SJ.ECF@usdoj.gov
tr	Devin Derham-Burk	ctdocs@ch13sj.com
aty	Cori B. Jones	cjones@wrightlegal.net
aty	Devin L. Pace	ctdocs@ch13sj.com
aty	Teresa Thu Huong Nguyen	teresa_hung2003@yahoo.com

TOTAL: 5

### Recipients submitted to the BNC (Bankruptcy Noticing Center):

db	Vuong Ngoc Tran	5981 Snell Avenue	San Jose, CA 95123	
reqntc	Bank of America, N.A....	Miles, Bauer, Bergstrom & Winters, LLP	1231 East Dyer Road Suite	
	100 Santa Ana, CA 92705			
cr	Bank of America, N.A....	Miles, Bauer, Bergstrom & Winters, LLP	1231 E. Dyer Road Suite	
	100 Santa Ana, CA 92705			
smg	State Board of Equalization	Attn: Special Procedures Section, MIC:55	P.O. Box	
	942879 Sacramento, CA 94279			
smg	CA Employment Development Dept.	Bankruptcy Group MIC 92E	P.O. Box 826880	Sacramento,
	CA 94280-0001			
smg	CA Franchise Tax Board	Attn: Special Procedures	P.O. Box 2952	Sacramento, CA 95812-2952
smg	IRS	P.O. Box 7346	Philadelphia, PA 19101-7346	
13688234	Bank of America	4161 Piedmont Pkwy	Greensboro, NC 27410	
13688235	Bank of America, N.A.	4161 Piedmont Pkwy	Greensboro, NC 27410	
13730302	Bank of America, N.A.	C/O Cori B. Jones, Esq .	1231 E. Dyer Road, Suite 100	Santa Ana, CA
	92705			
13786519	Bank of America, N.A....	Miles, Bauer, Bergstrom & Winters, LLP	1231 East Dyer Road Suite	
	100 Santa Ana, CA 92705			
13712593	Internal Revenue Service	P O Box 7346	Philadelphia, P A 19101-7346	
13980724	Internal Revenue Service	P.O. Box 7346	Philadelphia, PA 19101-7346	
13853143	STATE BOARD OF EQUALIZATION	SPECIAL OPERATIONS BRANCH, MIC:55	PO BOX	
	942879 SACRAMENTO, CA 94279-0055			
13688236	State Board of Equalization	P.O. Box 942879	Sacramento, CA 94250-5872	

TOTAL: 15

## Notice Recipients

District/Off: 0971-5  
Case: 14-51959

User: kroser  
Form ID: pdfecoc

Date Created: 3/31/2015  
Total: 16

### Recipients of Notice of Electronic Filing:

ust	Office of the U.S. Trustee / SJ	USTPRegion17.SJ.ECF@usdoj.gov
tr	Devin Derham-Burk	ctdocs@ch13sj.com
aty	Cori B. Jones	cjones@wrightlegal.net
aty	Devin L. Pace	ctdocs@ch13sj.com
aty	Teresa Thu Huong Nguyen	teresa_hung2003@yahoo.com

TOTAL: 5

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	100	Santa Ana, CA 92705		
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	100	Santa Ana, CA 92705		
13688234	Bank of America	4161 Piedmont Pkwy	Greensboro, NC 27410	
13688235	Bank of America, N.A.	4161 Piedmont Pkwy	Greensboro, NC 27410	
13730302	Bank of America, N.A.	C/O Cori B. Jones, Esq .	1231 E. Dyer Road, Suite 100	Santa Ana, CA
	92705			
13786519	Bank of America, N.A...	Miles, Bauer, Bergstrom &Winters, LLP	1231 East Dyer Road Suite	
	100	Santa Ana, CA 92705		
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13853143	STATE BOARD OF EQUALIZATION	SPECIAL OPERATIONS BRANCH, MIC:55	PO BOX	
	942879	SACRAMENTO, CA 94279-0055		
13688236	State Board of Equalization	P.O. Box 942879	Sacramento, CA 94250-5872	

TOTAL: 11

# **EXHIBIT “D”**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

	) Case No. 12-5030 SC
	)
DISNEY ENTERPRISES, INC., DC	) <u>DEFAULT JUDGMENT</u>
COMICS, and SANRIO, INC.,	)
	)
Plaintiffs	)
	)
v.	)
	)
VUONG TRAN a.k.a. VUONG NGUYEN	)
a.k.a. RICKY TRAN a.k.a. RICKY	)
VUONG, an individual and d/b/a	)
www.norcaljumper.com, JOEY	)
NGUYEN a.k.a. DUONG NGUYEN, and	)
DOES 1-10, inclusive,	)
	)
Defendants.	)

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In accordance with the Court's April 29 Order Granting Plaintiffs' Motion for Entry of Default Judgment, it is hereby ORDERED, ADJUDGED, and DECREED that Default Judgment in this action shall be entered in favor of PLAINTIFFS Disney Enterprises, Inc., DC Comics, and Sanrio, Inc. and against DEFENDANT Joey Nguyen a.k.a. Dung Nguyen a.k.a. Duong Nguyen, in the amount of \$250,000 plus interest pursuant to 28 U.S.C. § 1961(a).

Furthermore, Defendant and his agents, servants, employees and all persons in active concert and participation with them who



1 receive actual notice of the injunction are hereby restrained and  
 2 enjoined from importing, advertising, displaying, promoting,  
 3 marketing, distributing, providing, offering for sale and selling  
 4 of products that picture, reproduce, copy or use the likenesses of  
 5 or bear a substantial similarity to the designs registered in the  
 6 following copyright registrations: Mickey-1 (VA 58-937); Minnie-1  
 7 (VA 58-938); Donald Duck (Gp 80-184); Daisy-1 (VA 58-933); Pluto  
 8 (Gp 80-192)/(RE 826-536); Chip (R 567-615); Dale (R 567-614); Walt  
 9 Disney's Peter Pan Coloring Book #21865 (RE 66-285); Toy Story -  
 10 Buzz Lightyear (VAu 337-566); Toy Story - Woody (VAu 337-565); Toy  
 11 Story - Rex (VAu 337-568); Toy Story (PA 765-713); Pirates of the  
 12 Caribbean: The Curse of the Black Pearl (PA 1-138-412); High School  
 13 Musical - Fall/Winter 2007 Style Guide (VA 1-405-075); Ariel 9-9-87  
 14 Ruff (VAu 123-355); Flounder (VAu 123-349); Triton (VAu 123-350);  
 15 Ruff Sebastian (Vau 123-354); Hannah Montana Branding Guide (VA 1-  
 16 403-647); DC Comics Anti-Piracy Guide (TXu 1-080-661); Superman  
 17 Style Guide (TX 3-221-758); the Hello Kitty registration (VA 130-  
 18 420); KeroKeroKeropi (VA 636-579); Sanrio 2005 Character Guide (VAu  
 19 684-322); and Sanrio 2010 Character Guide (VAu 1-078-385).

20  
 21 IT IS SO ORDERED, ADJUDGED, and DECREED.

22  
 23 Dated: May 1, 2013



24 UNITED STATES DISTRICT JUDGE